UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,885	01/05/2004	Gueorgui Bonov Chkodrov	003797.00713	2093

28319   7590   08/09/2007

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EXAMINER
TIMBLIN, ROBERT M

ART UNIT	PAPER NUMBER
2167	

MAIL DATE	DELIVERY MODE
08/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/750,885	CHKODROV ET AL.
	Examiner	Art Unit	
	Robert M. Timblin	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _05 January 2004_.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _05 January 2004_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This Office Action corresponds to application 10/750,885 filed 1/5/2004.

Claims 1-28 have been examined and are pending prosecution.

Drawings

Figures 1-3 should be designated by a legend such as --Prior Art-- because only

that which is old is illustrated. Specifically, these figures are described in *background*

paragraphs 06, 07 and 09. See MPEP § 608.02(g). Corrected drawings in compliance

with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of

the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the

page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing

figures. If the changes are not accepted by the examiner, the applicant will be notified

and informed of any required corrective action in the next Office action. The objection to

the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 12-21, and 26-28 are rejected under 35 U.S.C. 102(b) as being

anticipated by **Waldorf et al.** (US2002/0038228 A1).

With respect to claim 1 and corresponding claim 15, **Waldorf** teaches A method

for maintaining information about multiple instances of an activity, comprising:

'receiving process data regarding the instances' (0047-0048 and figures 2a-b

and 3)from each of a plurality of application programs' (abstract, figure 1b).

'receiving continuation data regarding the instances, the continuation data

correlating, for each of the instances, process data for the instance received from

at least one of the application programs with process data for the same instance

received from at least another of the application programs' (0018, 0103, and

figures 2a-b and 3).

'inserting process data for each of the instances into instance database

records based on the continuation data' (drawing reference 208 and 110).

With respect to claims 2 and 16, **Waldorf** teaches the **'milestone data**

providing a time for one or more portions of the processing of an instance, or

payload data describing an instance' (0055).

With respect to claims 3 and 17, **Waldorf** teaches **'a first identifier associated**

with an instance by a first application and a second identifier associated with the

instance by a second application' (figure 2b).

With respect to claims 4 and 18, **Waldorf** teaches 'storing continuation data in a continuation data table, wherein records of the continuation data table correlate process data regarding instances received from a first application with process data regarding instances received from a second application' (drawing reference 208 and 110).

With respect to claims 5 and 19, Waldorf **teaches 'a sequence of processing steps, and wherein each of the applications provides process data corresponding to a different part of the processing sequence'** (0073 and figure 1b).

With respect to claims 6 and 20, **Waldorf** teaches 'updating the continuation data table to contain records referring to the earliest sequential process data received for an instance' (0068).

With respect to claims 7 and 21, **Waldorf** teaches 'deleting a continuation data table record pertaining to an instance upon receiving data from one of the applications indicating that no additional data for the instance will follow from the application' (0073).

With respect to claims 12 and 26 **Waldorf** teaches 'correlation data indicating that the first and second records pertain to the same instance; and merging the first and second records' (0056 and figure 2A).

With respect to claims 13 and 27 **Waldorf** teaches **'process data is received in batch updates from the applications'** (0068).

With respect to claims 14 and 28, the limitations of this claim are similar to those of 8 and 22 presented above and therefore are rejected for the same reason.

Furthermore **Waldorf** teaches **'process data from at least one of the applications is sequentially pre-sorted prior to batch update** (0057 and drawing reference 248).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 8-11 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waldorf as applied to claims 1-7, 12-21, and 26-28 above in view of Campbell et al. ('Campbell') (US 6,856,970).

With respect to claims 8 and 22, **Waldorf** teaches **'the instances are acted upon in a sequence of processing steps'** (0006 and 0067).

'each of the applications provides process data corresponding to a different part of the processing sequence' (0047 and figures 1b and 10).

Waldorf fails to teach the limitations of process data for at least a portion of the instances are received in an order different form the processing sequence and preventing access to instance database records containing out-of-order data reflecting completion of a processing step for an instance but not reflecting completion of a sequentially prior processing step for the instance.

Campbell, however, teaches 'process data for at least a portion of the instances are received in an order different form the processing sequence' as partial information (col. 13 line 11-39 and col. 17 line 42-47).

'preventing access to instance database records containing out-of-order data reflecting completion of a processing step for an instance but not reflecting completion of a sequentially prior processing step for the instance' as preventing access to incomplete or inconsistent data (col. 17, line 42-47) to exclude the data that is in the process of being uploaded.

It would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because the system of Cambell would have allowed Waldorf's system to perform sophisticated data manipulation without the danger of producing incomplete or inconsistent reports. Furthermore Campbell's teaching would allow Waldorf excludes the data that is in the process of being uploaded (col. 17 line 23-41, Campbell).

With respect to claims 9 and 23, **Campbell** teaches 'preventing human users from viewing instance database records containing out-of-order data' (col. 13 line 25-30).

With respect to claims 10 and 24, **Campbell** teaches 'preventing one or more analysis application programs from performing analysis upon records containing out-of-order data' (col. 13 line 12-30).

With respect to claims 11 and 25, **Campbell** teaches 'providing access to a first instance database record for an instance not containing out-of-order data and preventing access to a second instance database record for the instance, wherein the second instance database record contains out-of-order data, and wherein process data in the second instance database record is not correlated to process data in the first record by continuation data' (col. 13 line 32-36).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Patent Documents:

2002/0095237   2004/0044799
2003/0149611   5,890,140
2004/0064351   7,062,513
2004/0044642   7,035,877
2004/0117383   5,581,691
2004/0024782

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
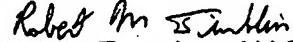
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Leslie Wong   Robert M. Timblin

Primary Examiner   Patent Examiner AU 2167

RMT
6/22/2006